

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
RICHARD LOOS,

Plaintiff,

Index No. 07-CV-6723  
(PKL)

-against-

COMFORT INNS, INC. CHOICE HOTELS  
INTERNATIONAL, INC., RONDAVEL  
MANAGEMENT CORPORATION, PALISDADES  
LODGING CORPORATION TRADING AS  
COMFORT INN, COMFORT INN NANUET,  
IGNACIO RANGEL, AUDITORS EXPRESS and  
JOHN VANHOUTEN

Defendants.

RESPONSE TO FIRST SET  
OF THIRD PARTY  
DEFENDANT WEISS'  
RULE 34 REQUESTS

-----X  
COMFORT INNS, INC. and CHOICE HOTELS,  
INTERNATIONAL, INC.,

Third-Party Plaintiff,

-against-

KENNETH WEISS and RONDAVEL MANAGEMENT  
CORPORATION,

Third-Party Defendants.

-----X  
PALISADES LODGING CORPORATION, trading as  
COMFORT INN and improperly sued herein as  
COMFORT INNS, INC. and RONDAVEL  
MANAGEMENT CORPORATION,

Fourth-Party Plaintiffs,

-against-

AUDITORS EXPRESS and JOHN VANHOUTEN,

Fourth-Party Defendants.

-----X

The Plaintiff, RICHARD LOOS, by his attorney, LAW OFFICES OF ELIOT F. BLOOM, ESQ., as and for his response to the Rule 34 requests of third-party Defendant KENNETH WEISS, alleges:

- A. 1.           The Taylor Corporation  
              1725 Roe Crest Drive  
              North Mankato, MN 56003  
  
              Sales Consultants of Pompano Beach  
              2401 East Atlantic Boulevard, Ste. 300  
              Pompano Beach, Florida 33062
2.           The Plaintiff will produce under separate cover an authorization for the employment records of:  
  
              The Taylor Corporation  
              1725 Roe Crest Drive  
              North Mankato, MN 56003  
  
              Sales Consultants of Pompano Beach  
              2401 East Atlantic Boulevard, Ste. 300  
              Pompano Beach, Florida 33062
- B. 1.           The Plaintiff will supplement under separate cover this response with names of additional physicians if those entities should be ascertained.  
  
              Dr. Daniel Edwards  
              Nyack Hospital  
              160 North Midland Avenue  
              Nyack, NY 10960
- 2./3.          The Plaintiff hereby produces duly executed HIPAA compliant authorizations for all medical providers related to this incident. See Exhibit B.2/3 attached hereto.
4.           The Plaintiff hereby produces presently available medical records for the within incident. See Exhibit B.4 attached hereto.
5.           The Plaintiff will produce under separate cover an authorization for all pharmacies from which the Plaintiff has purchased medicine and/or devices in connection with the injuries sustained.

6. The Plaintiff hereby produces all bills, invoices and statements of medical treatment. See Exhibit B.6 attached hereto.
7. Not applicable.
8. Not applicable.
9. Not applicable.
10. Not applicable.
11. See B.5 above.

C. Not applicable.

D. Not applicable.

E. Not applicable.

F. Not applicable.

G. Not applicable.

H. Not applicable.

I. Not applicable, as Plaintiff does not claim lost wages.

J. Not applicable.

K. Index #: 07-CV-6723

L. Such statements are protected by the attorney-client privilege.

M.

LAW OFFICES OF DONALD L. FRUM

Attorney for Defendant/Fourth-Party Plaintiffs Comfort Inns, Inc. and  
Palisades Lodging Corporation, trading as Comfort Inn  
565 Taxter Road, Suite 150  
Elmsford, New York 10523

MARKS, O'NEILL, O'BRIEN AND COURTNEY, P.C.

Attorney for Defendant/Third-Party Plaintiff Choice Hotels International,  
Inc.  
530 Saw Mill River Road

Elmsford, New York 10523

ABRAMS, GORELICK, FRIEDMAN & JACOBSON, P.C.  
Attorneys for Third-Party Defendant Kenneth Weiss  
One Battery Park Plaza, 4<sup>th</sup> Floor  
New York, NY 10004

LAW OFFICES OF JAMES J. TOOMEY  
Attorneys for Defendants/Fourth Party Defendants Ignacio Rangel,  
Auditors Express and John Van Houten  
485 Lexington Avenue, 7<sup>th</sup> Floor  
New York, NY 10017

LAW OFFICES OF ELIOT F. BLOOM, ESQ.  
Attorneys for Plaintiff Richard Loos  
114 Old Country Road, Suite 308  
Mineola, New York 11501

N. Not applicable.

O.

Richard Loos  
21596 Casa Monte  
Boca Raton, Florida

Kenneth Weiss  
28 Fieldstone Court  
New City, New York 10956

Danielle Weiss  
28 Fieldstone Court  
New City, New York 10956

John VanHouton  
122 Gaston Avenue  
Garfield, New Jersey 07026

Lorrie" (Last name unknown)  
Hotel Manager  
Comfort Inn  
425 East Route 59  
Nanuet, New York 10954

P.

1. The requested documents are too voluminous for production and are

available on the Electronic Court Filing system (ECF).

2. The Plaintiff hereby produces a police report in response to this demand. See Exhibit P.2 attached hereto.
3. Plaintiff is not in possession of such pictures.
4. See Exhibit P.4 attached hereto.
5. Plaintiff is not in possession of such pictures.
6. Not applicable.
7. Not applicable.
8. Not applicable.
9. Not applicable.
10. SS#: 134-42-4116
11. Not applicable.
12. The requested documents are too voluminous for production and are available on the Electronic Court Filing system (ECF).
13. Not applicable.
14. Not applicable.

Q. The Plaintiff has not, to date, retained the services of an expert. When the Plaintiff does retain an expert, the identity and required information regarding that expert will be disclosed by the Plaintiff as required by the Federal Rules of Civil Procedure.

R. Not applicable to individual plaintiff.

S. Not applicable.

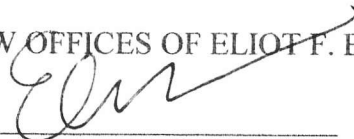
**PLEASE TAKE NOTICE** that Plaintiff reserves the right to amend and/or supplement the preceding responses.

Dated: Mineola, New York

September 4, 2008

Yours, etc.

LAW OFFICES OF ELIOT F. BLOOM



By: Eliot F. Bloom, Esq. (9423)  
*Attorneys for Plaintiff Richard Loos*  
114 Old Country Road, Suite 308  
Mineola, New York 11501  
(516) 739-5300

TO: LAW OFFICES OF DONALD L. FRUM  
Attorney for Defendant/Fourth-Party Plaintiffs  
Comfort Inns, Inc. and Palisades Lodging Corporation,  
trading as Comfort Inn  
565 Taxter Road, Suite 150  
Elmsford, New York 10523  
(914) 347-5522

MARKS, O'NEILL, O'BRIEN AND COURTNEY, P.C.  
Attorney for Defendant/Third-Party Plaintiff  
Choice Hotels International, Inc.  
530 Saw Mill River Road  
Elmsford, New York 10523

ABRAMS, GORELICK, FRIEDMAN & JACOBSON, P.C.  
Attorneys for Third-Party Defendant  
Kenneth Weiss  
One Battery Park Plaza, 4<sup>th</sup> Floor  
New York, NY 10004  
(212) 422-1200

LAW OFFICES OF JAMES J. TOOMEY  
Attorneys for Defendants/Fourth Party Defendants  
Ignacio Rangel, Auditors Express and John Van Houten  
485 Lexington Avenue, 7<sup>th</sup> Floor  
New York, NY 10017  
(917) 778-6600